

The City Council of the City of Mattoon held a regular meeting in the Council Chambers at City Hall on June 17, 2008 at 7:02 p. m. after the 6:30 p.m. caucus session, where the Council discussed pending agenda items, update on Depot FTA application and process.

Mayor Pro-tem Schilling presiding.

Mayor Pro-tem Schilling led the Pledge of Allegiance.

The following members of the Council answered roll call physically present: YEA Commissioner Randy Ervin, YEA Commissioner Rick Hall, YEA Commissioner Joe McKenzie, YEA Mayor Pro-tem David Schilling, Absent Mayor David Cline.

Also physically present were City personnel: City Administrator Alan Gilmore, City Attorney & Treasurer J. Preston Owen, Public Works Director David Wortman, Deputy Fire Chief Andy Adair, Police Chief David Griffith, and City Clerk Susan J. O'Brien.

Mayor Pro-tem Schilling seconded by Commissioner Hall moved to approve the consent agenda consisting of minutes of the Regular meeting June 3, 2008, Fire Department report for the month of May, 2008, payroll and bills for the first half of June, 2008.

Bills and Payroll for the first half of June 2008

General Fund

Payroll		\$	265,427.11
Bills		\$	<u>134,094.24</u>
	Total	\$	399,521.35

Hotel Tax Fund

Payroll		\$	1,894.08
Bills		\$	<u>1,690.03</u>
	Total	\$	3,584.11

Festival Management

Bills		\$	<u>756.47</u>
	Total	\$	756.47

Insurance & Tort Judgment

Bills		\$	<u>46,443.00</u>
	Total	\$	46,443.00

Midtown TIF Fund

Bills		\$	<u>7,704.00</u>
	Total	\$	7,704.00

Water Fund

Payroll		\$	34,187.05
Bills		\$	<u>38,324.58</u>
	Total	\$	72,511.63

Sewer Fund

Payroll		\$	32,030.04
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Bills		\$ 37,005.49
	Total	\$ 69,035.53
<u>Cemetery Fund</u>		
Payroll		\$ 5,268.32
Bills		\$ 1,846.77
	Total	\$ 7,115.09
<u>Motor Fuel Fund</u>		
Bills		\$ 6,681.50
	Total	\$ 6,681.50
<u>Revolving Loan Fund</u>		
Bills		\$ 460.10
	Total	\$ 460.10
<u>Health Insurance</u>		
Bills		\$ 83,517.62
	Total	\$ 83,517.62

Mayor Pro-tem Schilling declared the motion to approve the consent agenda carried by the following vote: YEA
Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner McKenzie, YEA Mayor Pro-tem Schilling, Absent Mayor Cline.

Mayor Pro-tem Schilling opened the floor for public discussion. No public discussion.

Commissioner McKenzie seconded by Commissioner Ervin moved to adopt Resolution 2008-2743, establishing the prevailing rate of wages in the Coles County Area as determined by the Illinois Department of Labor as the wages that must apply to public works construction of the City of Mattoon consistent with mandates of Illinois statute.

CITY OF MATTOON, ILLINOIS

RESOLUTION NO. 2008-2743

RESOLUTION ESTABLISHING THE PREVAILING RATE OF WAGES IN THE COLES COUNTY AREA AS DETERMINED BY THE ILLINOIS DEPARTMENT OF LABOR AS THE WAGES THAT MUST APPLY TO PUBLIC WORKS CONSTRUCTION OF THE CITY OF MATTOON CONSISTENT WITH MANDATES OF ILLINOIS STATUTE

WHEREAS, the State of Illinois has enacted “An Act regulating wages of laborers, mechanics and other workers employed in any public works by the State, County, City or any public body or any political subdivision or by anyone under contract for public works,” approved May 26, 1941, as amended, being Section 820 ILCS 130/0.01 et seq., commonly referred to as The Prevailing Wage Act, and

WHEREAS, the aforesaid Act requires that the City Council of the City of Mattoon, Illinois investigate and ascertain the prevailing rate of wages as defined in said Act for laborers, mechanics and other workers in the locality of said City of Mattoon, Illinois employed in performing construction of public works, for said City of Mattoon, Illinois.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MATTOON, COUNTY OF
COLES, AND STATE OF ILLINOIS:**

SECTION 1: To the extent and as required by “An Act regulating wages of laborers, mechanics and other workers employed in any public works by State, County, City or any public body or any political subdivision or by anyone under contract for public works,” approved May 26, 1941, as amended, the general prevailing rate of wages in this locality for laborers, mechanics and other workers engaged in construction of public works coming under the jurisdiction of the City of Mattoon, Illinois is hereby ascertained to be the same as the prevailing rate of wages for construction work in the Coles County area as determined by the Department of Labor of the State of Illinois as of June, 2008, a copy of that determination being attached hereto and incorporated herein by reference. The definition of any terms appearing in this Resolution which are also used in aforesaid Act shall be the same as in said Act.

SECTION 2: Nothing herein contained shall be construed to apply said general prevailing rate of wages as herein ascertained to any work or employment except public works construction of the City of Mattoon, Illinois to the extent required herein by the aforesaid Act.

SECTION 3: The City Clerk shall publicly post or keep available for inspection by any interested party in the main office of this City this determination of such prevailing rate of wage.

SECTION 4: The City Clerk shall mail a copy of this determination to any employer, and to any association of employers and to any person or association of employees who have filed their names and address, requesting copies of any determination stating the particular rates and the particular class of workers whose wages will be affected by such rates.

SECTION 5: The City Clerk shall promptly file a certified copy of this Resolution with both the Secretary of State and the Department of Labor of the State of Illinois.

SECTION 6: The City Clerk shall cause to be published in a newspaper of general circulation within the area a copy of this Resolution, and such publication shall constitute notice that the determination is effective and that this is the determination of this public body.

Upon motion by Commissioner McKenzie, seconded by Commissioner Ervin adopted this 17th day of June, 2008, by a roll call vote, as follows:

AYES (Names):	<u>Commissioner Ervin, Commissioner Hall</u> <u>Commissioner McKenzie, Mayor Pro-tem Schilling</u>
NAYS (Names):	<u>None</u>
ABSENT (Names):	<u>Mayor Cline</u>

Approved this 17th day of June, 2008.

/s/ David R. Schilling
David R. Schilling,
Mayor Pro-tem
City of Mattoon, Coles County, Illinois

ATTEST:

APPROVED AS TO FORM:

/s/ Susan J. O'Brien
Susan J. O'Brien, City Clerk

/s/ J. Preston Owen
J. Preston Owen, City Attorney

Recorded in the Municipality’s Records on June 18, 2008.

Published this 19th day of June, 2008.

Mayor Pro-tem Schilling declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner McKenzie, YEA Mayor Pro-tem Schilling, Absent Mayor Cline.

Mayor Pro-tem Schilling seconded by Commissioner Hall moved to adopt Resolution 2008-2744, re-establishing the authorization of participation in the Illinois Municipal Retirement Fund (IMRF) for elected officials.

**A RESOLUTION RELATING TO PARTICIPATION BY ELECTED OFFICIALS
IN THE ILLINOIS MUNICIPAL RETIREMENT FUND**

RESOLUTION 2008-2744

WHEREAS, the City of Mattoon is a participant in the Illinois Municipal Retirement Fund; and

WHEREAS, elected officials may participate in the Illinois Municipal Retirement Fund if they are in positions normally requiring performance of duty for 1,000 hours or more per year; and
(600 OR 1000)

WHEREAS, this governing body can determine what the normal annual hourly requirements of its elected officials are, and should make such determination for the guidance and direction of the Board of Trustees of the Illinois Municipal Retirement Fund;

NOW, THEREFORE BE IT RESOLVED that the City of Mattoon finds the following elected positions qualify for _____ Membership in IMRF.

TITLE OF ELECTED POSITION	DATE POSITION BECAME QUALIFIED
Mayor	May 3, 2005
Commissioners	May 3, 2005
-	
-	

CERTIFICATION

I, Susan J. O'Brien, the City Clerk
NAME Clerk

of the City of Mattoon of the County of Coles
EMPLOYER NAME County

State of Illinois, do hereby certify that I am keeper of its books and records and that the foregoing is

a true and correct copy of a resolution duly adopted by its City Council at
at a meeting duly convened and held on the 17th day of, June 2008.

SEAL

/s/ Susan J. O'Brien
CLERK OR SECRETARY OF THE BOARD

Mayor Pro-tem Schilling declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner McKenzie, YEA Mayor Pro-tem Schilling, Absent Mayor Cline.

Commissioner Ervin seconded by Commissioner McKenzie moved to adopt Resolution 2008-2745, approving the utilization of ambulance billing software and procedures, authorizing the Intergovernmental Agreement between the City of Charleston and the City of Mattoon, and authorizing the Mayor to sign the agreement.

**CITY OF MATTOON, ILLINOIS
RESOLUTION NO. 2008-2745**

**A RESOLUTION APPROVING THE UTILIZATION OF AMBULANCE BILLING SOFTWARE AND PROCEDURES,
AND AUTHORIZING THE INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF CHARLESTON AND
THE CITY OF MATTOON, ILLINOIS, AND AUTHORIZING THE MAYOR TO SIGN THE AGREEMENT.**

WHEREAS the City of Mattoon and the City of Charleston operate ambulance services within their respective municipalities; and

WHEREAS the City of Charleston has obtained and utilizes billing software and procedures; and

WHEREAS the billing software and procedures utilized by the City of Charleston have sufficient capacity to handle the billing needs of both the City of Charleston and the City of Mattoon; and

WHEREAS the City of Mattoon would benefit from utilization of the City of Charleston's billing services for the purposes of ambulance billing for the City of Mattoon; and

WHEREAS an Intergovernmental Agreement by and between the City of Charleston and the City of Mattoon is attached hereto and incorporated herein by reference.

NOW THEREFORE BE IT RESOLVED City of Mattoon hereby authorizes the Mayor and the Fire Chief to execute and to enter into the attached Intergovernmental Agreement between the City of Mattoon, Illinois and the City of Charleston, Illinois for the purpose of utilizing ambulance billing for the City of Mattoon.

Upon motion by Commissioner Ervin, seconded by Commissioner McKenzie adopted this 17th day of June, 2008, by a roll call vote, as follows:

AYES (Names): Commissioner Ervin, Commissioner Hall,
Commissioner McKenzie, Mayor Pro-tem Schilling
NAYS (Names): None
ABSENT (Names): Mayor Cline

Approved this 17th day of June, 2008.

/s/ David R. Schilling
David R. Schilling, Mayor Pro-tem
City of Mattoon, Coles County, Illinois

ATTEST:

APPROVED AS TO FORM:

/s/ Susan J. O'Brien
Susan J. O'Brien, City Clerk

/s/ J. Preston Owen
J. Preston Owen, City Attorney

Recorded in the Municipality's Records on June 18th, 2008.

Mayor Pro-tem Schilling declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner McKenzie, YEA Mayor Pro-tem Schilling, Absent Mayor Cline.

Mayor Pro-tem Schilling seconded by Commissioner Ervin moved to adopt Special Ordinance 2008-1280, declaring surplus property, authorizing its sale or disposal, and authorizing a July 11, 2008 auction to be conducted at 3121 Cedar (Old Garment Factory).

**CITY OF MATTOON, ILLINOIS
SPECIAL ORDINANCE NO. 2008-1280**

**AN ORDINANCE DECLARING PERSONAL PROPERTY OWNED BY THE MUNICIPALITY SURPLUS AND
AUTHORIZING ITS SALE OR DISPOSAL**

BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF MATTOON, COLES COUNTY, ILLINOIS, as follows:

Section 1. Supplies and equipment identified on an Exhibit A to this ordinance are hereby declared surplus to the needs of the City of Mattoon.

Section 2. The City of Mattoon, Illinois does not express any warranty or imply any statement of condition in regard to this equipment.

Section 3. The Mayor and City Clerk are hereby authorized to administratively sell, recycle, or otherwise destroy the property listed on the exhibit to this ordinance without further formal consideration or approval by the City Council.

Section 4. Auctioneer Don Bauer shall sell items on Exhibit B by this special ordinance at public auction on July 11, 2008 located at the corner of Cedar Street and 32nd Street (the former Garment Factory building). Any sale of equipment shall be made to the highest bidder on terms acceptable to the City Attorney & Treasurer.

Section 5. This ordinance shall be deemed published as of the day of its adoption and approval by the City Council.

Section 6. This ordinance shall be effective upon its approval as provided by law.

Upon motion by Mayor Pro-tem Schilling , seconded by Commissioner Ervin, adopted this 17th day of June, 2008, by a roll call vote,

as follows:

AYES (Names): Commissioner Ervin, Commissioner Hall
Commissioner McKenzie, Mayor Pro-tem Schilling
NAYS (Names): None
ABSENT (Names): Mayor Cline

Approved this 17^h day of June, 2008.

/s/ David R.Schilling
David R. Schilling, Mayor Pro-tem
City of Mattoon, Coles County, Illinois

ATTEST: APPROVED AS TO FORM:

/s/ Susan J. O'Brien
Susan J. O'Brien, City Clerk

/s/ J. Preston Owen
J. Preston Owen, City Attorney

Recorded in the Municipality's Records on June 18th, 2008.

Mayor Pro-tem Schilling declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner McKenzie, YEA Mayor Pro-tem Schilling, Absent Mayor Cline.

Mayor Pro-tem Schilling seconded by Commissioner McKenzie moved to adopt Resolution 2008-2746, authorizing the Mayor to sign a Legal Agreement between the City of Mattoon and the LOOKING FOR LINCOLN HERITAGE COALITION in acceptance of the wayside exhibit, displaying the Debates in Mattoon and Lincoln's Last Visit.

CITY OF MATTOON, ILLINOIS
RESOLUTION NO. 2008-2746

**A RESOLUTION AUTHORIZING THE MAYOR TO SIGN
AN AGREEMENT WITH THE LOOKING FOR LINCOLN HERITAGE
COALITION TO TAKE DELIVERY OF AND INSTALL A DOUBLE-SIDED,
FREESTANDING VERTICAL BRASS TABLET UNDER THE PORTICO OF THE
HISTORIC MATTOON DEPOT, COMMEMORATING THE LINCOLN-DOUGLAS DEBATES AND ABRAHAM
LINCOLN'S LAST VISIT TO COLES COUNTY, ILLINOIS**

WHEREAS, the City of Mattoon, Illinois is supportive of the Coles County Abraham Lincoln Bi-Centennial Committee in their efforts to bring recognition of Abraham Lincoln's childhood in Coles County; and

WHEREAS, a brass double-sided tablet has been ordered for public exhibition at the Mattoon Amtrak Passenger Depot through a combination of Federal, State and Local funds; and

WHEREAS, upon delivery the exhibit shall become the sole property and responsibility of the City of Mattoon, Illinois; and

the Mayor's signature for the OSLAD (Open Space Lands Acquisition and Development Program) grant agreement for \$400,000 in funds.

Mayor Pro-tem Schilling declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner McKenzie, YEA Mayor Pro-tem Schilling, Absent Mayor Cline.

Commissioner Hall seconded by Commissioner Ervin moved to approve Council Decision Request 2008-883, approving a contract with Upchurch & Associates for a design contract for the Southside detention area; and authorizing the Mayor to sign the document.

Mayor Pro-tem Schilling opened the floor for questions or comments. No questions or comments.

Mayor Pro-tem Schilling declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner McKenzie, YEA Mayor Pro-tem Schilling, Absent Mayor Cline.

Mayor Pro-tem Schilling seconded by Commissioner McKenzie moved to amend the agenda to add employment, performance or dismissal of employees of the Municipality (5 ILCS 120 (2)(c) (1)) to the closed session.

Mayor Pro-tem Schilling opened the floor for discussion. No discussion.

Mayor Pro-tem Schilling declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner McKenzie, YEA Mayor Pro-tem Schilling, Absent Mayor Cline.

Council and Administrator Gilmore praised the employees who participated in the storm damage cleanup and public safety of the community.

Commissioner Hall seconded by Commissioner McKenzie moved to recess to closed session at 7:13 p.m. pursuant to the Illinois Open Meetings Act for the purpose of considering the purchase or lease of real property (5 ILCS 120(2)(c)(5)); and employment, performance or dismissal of employees of the municipality (5 ILCS 120(2)(c)(1)).

Mayor Pro-tem Schilling declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner McKenzie, YEA Mayor Pro-tem Schilling, Absent Mayor Cline.

Council reconvened at 8:46 p.m. [Director Wortman, Chief Griffith, and Deputy Chief Adair did not attend the meeting after reconvening.] Administrator Gilmore and Attorney & Treasurer Owen updated the Council on the proposal for the proposed project within the I-57 East TIF District and the redevelopment agreement.

Commissioner McKenzie seconded by Commissioner Hall moved to adjourn at 8:50 p.m.

Mayor Pro-tem Schilling declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner McKenzie, YEA Mayor Pro-tem Schilling, Absent Mayor Cline.

/s/ Susan J. O'Brien
City Clerk